

Message Text

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ORIGIN NEA-10

INFO OCT-01 AF-08 EUR-12 IO-13 ISO-00 PRS-01 SSM-05 PA-02
SS-15 USIE-00 CIAE-00 INR-07 NSAE-00 SSO-00 INRE-00
EB-08 /082 R

DRAFTED BY NEA/P:EOJONES:RGH
APPROVED BY NEA/P:GFSHERMAN
S/PRS - MR. BROWN (INFO)
H - MR. FLATEN (INFO)
SSM - MR. MC ANDREW
NEA - MS GRIFFIN
NEA/ARN - MR. DRAPER
NEA/IAI - MR. SMITH

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O 150027Z FEB 77
FM SECSTATE WASHDC
TO AMEMBASSY BEIRUT IMMEDIATE
AMEMBASSY DAMASCUS IMMEDIATE
AMEMBASSY TEL AVIV IMMEDIATE
AMEMBASSY ABU DHABI
AMEMBASSY ALGIERS
AMEMBASSY AMMAN
USINT BAGHDAD
AMEMBASSY CAIRO
AMEMBASSY DOHA
AMCONSUL JERUSALEM
AMEMBASSY JIDDA
AMEMBASSY MANAMA
AMEMBASSY RABAT
AMEMBASSY SANA
AMEMBASSY TEHRAN
AMEMBASSY TRIPOLI
AMEMBASSY TUNIS
USMISSION SINAI
AMCONSUL DHAHRAN
USMISSION GENEVA
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AMEMBASSY KHARTOUM
AMEMBASSY LONDON
AMEMBASSY MOGADISCIO
AMEMBASSY MOSCOW
USMISSION NATO
AMEMBASSY NOUAKCHOTT
AMEMBASSY PARIS
AMEMBASSY ROME
USMISSION USUN NEW YORK
AMEMBASSY KUWAIT

CINCEUR

UNCLAS STATE 033506

GENEVA FOR MEPC DEL, CINCEUR FOR POLAD

E.O. 11652: N/A

TAGS: PFOR

SUBJECT: DEPARTMENT PRESS BRIEFING - FEBRUARY 14

FOR YOUR INFORMATION AND GUIDANCE FOLLOWING ARE EXCERPTS
FROM DEPARTMENT SPOKESMAN'S PRESS BRIEFING FOR
FEBRUARY 14, 1977:

Q. THERE IS A LOS ANGELES TIMES DISPATCH CARRIED IN THE
WASHINGTON POST THIS MORNING ABOUT ISRAELI OIL EXPLORATION.
WITHOUT IDENTIFYING ANY STATE DEPARTMENT OFFICIAL BY NAME,
IT REFERS IN SEVERAL INSTANCES TO STATE DEPARTMENT
CONCERN -- STATE DEPARTMENT OFFICIALS CONCERNED ABOUT THIS
DRILLING -- ALSO MAKES THE POINT THAT MR. VANCE WILL
TAKE THE MATTER UP WITH THE ISRAELIS WHEN HE'S IN THE
MIDDLE EAST.

BREAKING THAT DOWN, WILL YOU TELL ME, NUMBER ONE, ARE WE
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CONCERNED ABOUT THE DRILLING; AND, SECONDLY, IS IT A
SUBJECT THAT HE INTENDS TO RAISE WITH THE ISRAELIS OR
WITH THE EGYPTIANS?

A. WE DO HAVE VIEWS ON THIS MATTER. WE HAVE BEEN

APPROACHED BY THE AMERICAN INTERESTS CONCERNED, AND WE
HAVE EXPLAINED OUR VIEWS TO THEM AND TO THE GOVERNMENTS
CONCERNED--NAMELY, ISRAEL AND EGYPT.

IN ANSWER TO YOUR QUESTION -- "WILL THE SECRETARY BE
DISCUSSING THIS MATTER?" -- YES, HE WILL DISCUSS IT WITH
BOTH ISRAEL AND EGYPT. AMERICAN COMPANIES ARE INVOLVED,
AND WE HAVE A RESPONSIBILITY TO THEM IN THIS MATTER.

I THINK IN VIEW OF THE IMMINENT DEPARTURE OF THE
SECRETARY FOR THE MIDDLE EAST, HOWEVER, I WOULD DEFER ANY
FURTHER COMMENT ON THIS SUBJECT.

Q. WELL, I DID WANT TO SEE IF YOU HAVE ANY -- I DON'T
SUPPOSE YOU'D SHARE IT WITH US -- BUT IF YOU'VE
DEVELOPED WITHIN THE DEPARTMENT ANY LEGAL ANALYSIS.
YOU REFER TO THE AMERICAN COMPANIES, AND THE QUESTION--
THE SUBJECT -- HAS SEVERAL PARTS TO IT. ONE OF IT IS

WHATEVER AMERICAN COMPANIES' RIGHTS MIGHT BE AND WHETHER THOSE RIGHTS HAVE BEEN INFRINGED.

BUT THERE IS ANOTHER QUESTION, WHICH MAY EVEN BE LARGER--AND THE QUESTION IS WHETHER WE TAKE THE VIEW THAT ISRAEL IS VIOLATING ANY INTERNATIONAL OR EGYPTIAN RIGHTS. LEAVING ASIDE THE AMERICAN OIL COMPANIES AND WHAT THEY'D LIKE TO GET OUT OF THE DEAL, THERE'S A LARGER QUESTION: DRILLING. IS THAT AREA A LEGAL PLACE FOR ISRAEL TO DRILL, UNDER WAR CONVENTIONS, ET CETERA?

A. OUR LEGAL VIEW IS THAT ISRAEL, AS AN OCCUPYING POWER, UNCLASSIFIED

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DOES NOT HAVE THE RIGHT TO EXPLOIT NATURAL RESOURCES IN OCCUPIED TERRITORIES THAT WERE NOT ALREADY BEING EXPLOITED WHEN THE OCCUPATION BEGAN. AND I UNDERSTAND THAT IS BASED IN INTERNATIONAL LAW.

Q. WELL, IT WAS ALL RIGHT FOR THEM TO USE THE OIL FROM ABU RUDEIS; WASN'T IT?

A. IT IS NOT A QUESTION OF BEING "ALL RIGHT." WE ARE SPEAKING IN A VERY LIMITED -- IN A STRICT LEGAL CONTEXT, AND THAT IS THE POSITION OF THE UNITED STATES; AND I THINK IT HAS BEEN STATED HERE BEFORE, AND IT HAS CERTAINLY BEEN COMMUNICATED TO THE ISRAELIS BEFORE.

Q. ALL RIGHT NOW. YOU SEEM TO BE MAKING A CLEAR DISTINCTION. I THINK THE ARTICLE MAKES THE SAME POINT. ABU RUDEIS WAS A GOING THING, AND YOU DID NOT OBJECT TO ISRAEL CONTINUING TO EXPLOIT -- I MEAN UNDER INTERNATIONAL

LAW ISRAEL HAD A RIGHT TO CONTINUE -- CONTINUE -- THE EXPLOITATION OF A GOING OPERATION, WHEREAS THIS DRILLING IS A NEW OPERATION AND YOU THINK IT IS ILLEGAL.

NOW, HAVE I SUMMARIZED THAT CORRECTLY PRETTY MUCH?

A. THE FIRST PART OF YOUR COMMENT WITH REGARD TO THE OTHER OIL FIELD THAT WAS IN PRODUCTION -- I DO NOT WANT TO ADDRESS THAT; I AM NOT IN A POSITION TO TALK ABOUT THAT, BUT WITH REGARD TO THE QUESTION YOU ASKED ME REGARDING A VIEW -- WITH THE CURRENT DRILLING, WHICH IS THE SUBJECT OF THIS LOS ANGELES TIMES ARTICLE, YES, WE HAVE A LEGAL VIEW, WHICH IS AS I HAVE JUST STATED.

Q. AND YOU'VE TRANSMITTED IT TO EGYPT AS WELL AS TO ISRAEL, I WOULD THINK.

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A. YES. THIS SUBJECT HAS BEEN DISCUSSED OVER THE LAST SEVERAL MONTHS. I THINK IT HAS COME UP HERE A COUPLE OF TIMES. THAT HAS BEEN OUR POSITION ALL ALONG.

Q. WILL YOU BRING US UP TO DATE? LAST FALL, SECRETARY KISSINGER HAD DISCUSSIONS WITH ALLON, I BELIEVE, AND THERE WAS CONSIDERABLE DISCUSSION OF THIS SUBJECT. THEN -- WHAT? -- IT WAS DECIDED TO PUT IT OFF UNTIL THE NEW ADMINISTRATION CAME IN? THERE WAS SOME DECISION JUST TO PUT OFF DISCUSSIONS FOR A WHILE, IS THAT CORRECT?

A. I DO NOT RECALL WHAT THE UPSHOT OF THE TALKS WERE BETWEEN MR. ALLON AND SECRETARY KISSINGER. I THINK I HAD BETTER DEFER ANY FURTHER COMMENT ON THIS UNTIL THE SECRETARY GETS OUT THERE AND TAKES THESE MATTERS UP.

Q. BUT IT IS THIS ADMINISTRATION'S JUDGMENT CERTAINLY.

A. I AM RESTATING THE JUDGMENT.

Q. BUT IT'S OF THIS ONE AS WELL.

A. CORRECT. OUR JUDGMENT ON LEGALITY OF THE MATTER REMAINS THE SAME.

Q. WHAT IS THE LEGALITY EXACTLY? CAN YOU TELL US WHAT THE PRECEDENTS ARE ON THIS QUESTION OF OCCUPYING POWER, EXPLOITING NEW NATURAL RESOURCES? YOU CALL IT INTERNATIONAL LAW.

A. I CANNOT GIVE YOU THE CITATIONS -- I DO NOT HAVE THEM WITH ME -- BUT IT IS OUR BELIEF THAT THE ACTIVITY WHICH WE ARE REFERRING TO WITH REGARD TO THIS NEW DRILLING IS CONTRARY TO INTERNATIONAL LAW.

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Q. CAN YOU GIVE US ANY EXAMPLES THOUGH OF WHEN THIS HAS BEEN ESTABLISHED IN INTERNATIONAL LAW, THIS KIND OF SITUATION?

A. I DO NOT HAVE THE CITATIONS WITH ME, BUT THIS IS A CAREFULLY THOUGHT-OUT STATEMENT ON MY PART; AND, THEREFORE, I FEEL SURE THERE IS ADEQUATE CITATION WITHIN INTERNATIONAL LAW.

Q. THE ORIGINAL ISSUE IS NOT ON THE DRILLING OF ISRAELIS BUT WHETHER ISRAEL HAD THE RIGHT TO KEEP OUT OF THE GULF OF SUEZ AMERICAN SHIPS UNDER -- IN OTHER WORDS, WHETHER

EGYPT HAD THE RIGHT TO EXPLORE THROUGHOUT THAT AREA;
WASN'T THAT THE QUESTION?

A. I DO NOT RECALL. I AM CONFINING MY REMARKS TODAY
TO THE QUESTION POSED BY BARRY WITH REGARD TO ISRAELI OIL
EXPLORATION OFF SHORE IN THE GULF OF SUEZ AND ON
OCCUPIED TERRITORY.

Q. CAN YOU TELL ME THAN: IS THE NET OF THE U.S.
POSITION, THEREFORE, THAT ISRAEL SHOULD CEASE AND
DESIST AND THE AMERICAN COMPANIES SHOULD CEASE AND
DESIST THEIR ACTIVITIES?

A. I DO NOT KNOW WHETHER I WOULD BE ABLE TO CHARACTERIZE
IT THAT WAY. I THINK I WOULD DEFER ANY FURTHER COMMENT
OR CONCLUSIONS IN VIEW OF THE SECRETARY'S DEPARTURE FOR
THE MIDDLE EAST.

Q. WELL, YOU SAID THE POSITION IS THE SAME AS IT WAS
OF THE PREVIOUS ADMINISTRATION. CAN YOU TELL US
WHETHER IN THE PREVIOUS ADMINISTRATION THE UNITED STATES
ASKED ISRAEL AND THE AMERICAN COMPANIES TO CEASE THE
EXPLORATION?

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A. I DO NOT KNOW WHETHER WE PUT IT IN THOSE TERMS. I
THINK YOU COULD SAY THAT WE BELIEVE THAT ISRAELI
DEVELOPMENT OF OIL RESOURCES IN THESE OCCUPIED TERRITORIES
IS NOT HELPFUL.

Q. TO WHAT?

A. TO EFFORTS TO GET PEACE NEGOTIATIONS UNDER WAY -- AND
COMPLICATES THE ACHIEVEMENT OF A SETTLEMENT.

Q. THAT APPLIES TO MINING OPERATIONS IN THE SINAI ALSO
THEN -- I MEAN TO ANY EXPLOITATION, NOT JUST OIL?

A. I DO NOT HAVE SPECIFIC GUIDANCE ON THAT POINT, BUT IT
APPLIES TO EXPLOITIVE -- RESOURCE EXPLOITATION -- IN
OCCUPIED TERRITORIES. IT APPLIES TO NATURAL RESOURCES
THAT WERE NOT ALREADY BEING EXPLOITED WHEN THE
OCCUPATION BEGAN. THAT IS THE CONTEXT WITHIN THE
INTERNATIONAL LAW.

Q. WHY IS IT NOT HELPFUL TO THE EFFORTS TO GET PEACE
NEGOTIATIONS UNDER WAY?

A. I DO NOT THINK I WILL GO ANY FARTHER ON THIS TODAY,
IN VIEW OF THE SECRETARY'S TRIP.

Q. WELL, THERE'S ONE THING THAT I DON'T THINK WE HAVE TO WAIT FOR THE SECRETARY ON--THE TIMES ARTICLE, THE LOS ANGELES TIMES ARTICLE, SAYS THAT AMERICANS--I THINK THEY MADE A COLORFUL ISSUE OF SOMEONE WITH A TEXAS ACCENT-- THAT ARE WORKING ON THESE PROJECTS. HAVE YOU ADVISED AMERICANS NOT TO PARTICIPATE IN WHAT YOU SEEM TO THINK IS AN ILLEGAL OPERATION?

A. I HAVE NO KNOWLEDGE OF SUCH ADVICE.

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Q. WHILE WE'RE IN THAT AREA, DO YOU HAVE CONFIRMATION THAT THE SYRIAN TROOPS ARE BEING PULLED OUT OF THE AREA AROUND NABATIYAH?

A. WE UNDERSTAND THAT THE ARAB SECURITY FORCES IN THE AREA ARE BEING REDEPLOYED. I AM NOT GOING TO GET INTO DETAILS WITH REGARD TO OUR DISCUSSIONS ON THE MATTER. I WILL SAY THAT WE ARE PLEASED THAT THE SITUATION HAS EASED SOMEWHAT.

Q. "REDEPLOYED" -- IS THAT A STATE DEPARTMENT WORD FOR BEING PULLED OUT? (LAUGHTER.)

A. IT IS A REDEPLOYMENT.

Q. WHAT DOES THAT MEAN?

Q. ARE THEY COMING CLOSER TO THE ISRAELI BORDER?

Q. ARE THEY JUST BEING REDEPLOYED FROM ONE SIDE OF THE VILLAGE TO THE OTHER OR WHAT -- OR ARE THEY BEING PULLED OUT?

A. I DO NOT HAVE LOCATIONS, BUT WE ARE PLEASED THAT THERE HAS BEEN A REDEPLOYMENT.

Q. IF YOU'RE PLEASED, THAT MEANS THAT THEY'RE BEING PULLED OUT.

A. I THINK WE ARE PLEASED THAT THE SITUATION HAS EASED; AND THAT WOULD INDICATE A WITHDRAWAL TO THE NORTH, I WOULD SAY.

Q. COULD WE GO BACK TO THIS?

A. YES.

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Q. I'M STILL JUST A SLIGHT BIT PUZZLED, AS WAS BARRY.
IN OTHER WORDS, WHAT THE OBJECTION IS TO TAKING NATURAL
RESOURCES THAT ARE NOT EXPLOITED -- ALREADY BEING TAKEN
OUT OF THE GROUND.

A. YES.

Q. -- BUT IF THEY ARE BEING TAKEN OUT OF THE GROUND AND
THE ISRAELIS OCCUPIED AND THEY CAN, WITHOUT OFFENDING IN
THIS RESPECT, USE THE STUFF THAT'S ALREADY BEING TAKEN
OUT OF THE GROUND; IS THAT IT? CAN YOU --

A. AS I UNDERSTAND IT, UNDER INTERNATIONAL LAW, IF THE
EXPLOITATION OF A NATURAL RESOURCE IS ALREADY IN
PROGRESS -- THAT IS ONE CATEGORY.

IF THE OCCUPYING POWER INITIATES -- A NEW EXPLOITATION
ACTIVITY, THAT IS CONSIDERED INAPPROPRIATE UNDER INTER-
NATIONAL LAW FOR THE OCCUPYING POWER.

Q. DO YOU FIND THAT A LITTLE INCONGRUOUS OR STRANGE OR
PUZZLING?

A. YES. I DID NOT DEVELOP THAT PARTICULAR INTERNATIONAL
LAW.

Q. HAS THE ADMINISTRATION COMPLETED ITS REVIEW OF
PREVIOUS COMMITMENTS MADE TO VARIOUS COUNTRIES ON ARMS?

A. YOU MEAN ACROSS THE BOARD ON OUR ARMS SALES POLICY?

Q. WELL, IN PARTICULAR, TO ISRAEL BEFORE THE SECRETARY
GETS THERE.

A. WITH REGARD TO THE ISRAELI ARMS SALES THAT HAVE BEEN
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DISCUSSED RECENTLY, I THINK THE SECRETARY SAID ON
FRIDAY, AFTER HIS SESSION WITH THE SENATE FOREIGN
RELATIONS COMMITTEE, THAT HE WOULD BE MAKING HIS
RECOMMENDATIONS TO THE PRESIDENT BEFORE HE LEAVES ON
THE TRIP TONIGHT.

WHERE THAT STANDS, I CANNOT TELL YOU. I DO NOT KNOW.

Q. YOU DON'T EXPECT AN ANNOUNCEMENT THEN?

A. I DO NOT. I HAVE NO EXPECTATION OF ANNOUNCEMENT.

Q. BEFORE HE LEAVES.

A. YES.

Q. ON THE TRIP -- HAVE YOU RECONSIDERED FLYING US INTO
BEIRUT OR SOME OTHER PLACE IN LEBANON?

A. THERE HAS BEEN NO CHANGE IN THE SCHEDULE.

Q. YOU'RE NOT COMING, ARE YOU?

A. NO, I AM NOT. I LOOK FORWARD TO SEEING YOU BACK HERE.

VANCE

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<< END OF DOCUMENT >>

Message Attributes

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Disposition Approved on Date:
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Disposition Comment:
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